

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

United States of America,  
Respondent/Plaintiff  
v.  
Robert Arthur Bates,  
Petitioner/Defendant

**2:99-cr-00008-JAD-CWH**

**Order Granting Motion for Abeyance  
and Directing Response**

[ECF No. 94]

On June 24, 2016, Robert Arthur Bates timely filed a protective abridged motion to vacate under 28 U.S.C. § 2255. Because this is Bates's second motion to vacate, he then filed in the Ninth Circuit Court of Appeals an application for authorization to file a successive petition. On February 16, 2017, the Ninth Circuit granted Bates's application. Bates has now filed his full § 2255 motion. Having reviewed Bates's motion and the record in this case under Rule 4 of the Rules Governing Section 2255 Cases in the United States District Courts, I find that a response is warranted.

IT IS HEREBY ORDERED that Bates's motion to hold in abeyance [ECF No. 94] is **GRANTED, and Bates's petition [ECF No. 97] is deemed filed on June 24, 2016.**

IT IS FURTHER ORDERED that the government must file a response to Bates's motion by April 6, 2017. Bates will have 30 days from service of the government's response to file a reply.

Dated this 22nd day of February, 2017.

  
\_\_\_\_\_  
Jennifer A. Dorsey  
United States District Judge